



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
EMD/CWB

21BG359.FNL.21

April 26, 2021

The Honorable Jade Butay  
Director  
State of Hawaii  
Department of Transportation  
400 Rodgers Boulevard, Suite 700  
Honolulu, Hawaii 96819

Attention: Mr. Richard Stook  
Environmental Health Specialist

Dear Mr. Butay:

**Subject: National Pollutant Discharge Elimination System (NPDES)  
Conditional "No Exposure" Exclusion (CNEE) for Kapalua Airport  
Lahaina, Island of Maui, Hawaii  
File No. HI 21BG359**

The Department of Health, Clean Water Branch (CWB), acknowledges receipt of your No Exposure Certification for CNEE from NPDES Storm Water Permitting, dated April 22, 2021 (received on April 22, 2021). **Please note that this CNEE replaces the previous CNEE (File No. HI 16BE970) for this facility that expired on April 20, 2021.**

In accordance with Hawaii Administrative Rules, Section 11-55-04(e), the "conditional 'no exposure' exclusion is effective upon receipt by the department of the certification, assuming all other conditions are met. . ." The conditions include those listed in 40 CFR §122.26(g)(1)(iii).

The CWB may conduct a site inspection to confirm that the activity qualifies for the CNEE.

**This CNEE was issued on April 22, 2021, and will expire at midnight, April 21, 2026.**

All reports, notifications, and updates to information on file shall be submitted through the CWB Compliance Submittal Form for Individual NPDES Permits and NGPCs. This form is accessible through the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit>. If not already registered, you will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool to locate the form. Follow the instructions to complete and submit this form.

All submissions shall include a CD or DVD containing the downloaded e-Permitting submission and a completed Transmittal Requirements and Certification Statement for e-Permitting NPDES/NGPC Compliance Submissions Form, with original signature and date.

Any future submittals shall contain the assigned file number, **HI 21BG359**, and the following certification with your signature:

**“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”**

**Failure to provide the assigned file number, HI 21BG359, and certification for this project on future correspondence or submittals may be a basis for delay of the processing of the document(s).**

Please note that, in general, anyone discharging pollutants from a point source into the waters of the United States (i.e., drainage canal, storm drain inlets, etc.), including the Pacific Ocean, must apply for an NPDES permit coverage. Point sources include vehicle wash discharges or a discharge of processed wastewater from your business activity. If there is a discharge of any pollutant to State waters, Hawaii Revised Statutes Section 342D-30, provides for penalties of up to \$25,000 per day for each violation. The CWB reserves its right to seek penalties for all violations.

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If you have any questions, please contact the Enforcement Section, CWB,  
at (808) 586-4309.

Sincerely,

*Joanna A. Char*  
for

ELIZABETH A. CHAR, M.D.  
Director of Health

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- c: Mr. Richard Stook, Department of Transportation  
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